

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
March 27-31, 2000

| Date Issued | Type of Case(1) | Proceeding or Appn. No. | Party or Parties | TTAB Panel(2) | Issue | TTAB Decision | Opposer's or Petitioner's Mark and Goods or Services | Applicant's or Respondent's Mark and Goods or Services | Mark and Goods Cited by Examining Attorney | Examining Attorney | Citable as Precedent of TTAB |
|-------------|-----------------|-------------------------|---------------------------------------|------------------------------|--|---------------------|--|--|--|--------------------|------------------------------|
| 3-27 | EX | 75/172,478 | S.O.S. Corp. | Walters Wendel Rogers* | 2(d) | Refusal Reversed | | "HYDRAWEB" [computer software, routers, and multiplexors that serve to redirect HTTP calls to heterogeneous web servers] | "HYDRA" [interface between a number of terminals and a computer] | Thayer | No |
| 3-28 | EX | 75/293,872 | Educational Funding Services, Inc. | Cissel* Quinn Holtzman | 2(d) | Refusal Affirmed | | "EFG" [loan financing; security services, namely, guaranteeing loans] | "THE EFG CONNECTION" [newsletter for high school guidance counselors and financial aid professionals providing information on career planning, college selection, and financial aid] | Stockton | No |
| 3-28 | EX | 74/603,891 | Indena S.p.A. | Simms Quinn Wendel* | whether applicant's mark is registrable on the Supplemental Register [genericness] | Refusal Affirmed | | "PHYTOSOME" [complexes of vegetable substances with phospholipids for use in the manufacture of cosmetics, pharmaceuticals and health foods] | | French | No |
| 3-29 | EX | 75/183,983 | International Business Machines Corp. | Chapman Wendel Bucher* | 2(e)(1) | Refusal Affirmed | | "SURFACE LAMINAR CIRCUIT" [computer hardware, namely, printed circuit boards and cards, utilizing a dielectric for circuit design and interconnection] | | Mays | No |

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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| 3-29 | EX | 75/089,869 | Kraus-Anderson, Inc. | Hanak Quinn Rogers* | whether the matter applicant seeks to register functions as a mark for its goods and services or is merely the background portion of composite "letter and design" mark [mutilation] | Refusal Affirmed | | design consisting of the outline of a "split shield" [printed publications; various services in Classes 36, 37, 41 and 42] | | Blohm | No |
| 3-30 | OPP [SJ] | 106,963 | Anheuser-Busch, Inc. v. Sydney Goldstein | Cissel Chapman Wendel [Opinion "By the Board"] | 2(d) | Opposition Sustained [opposer's motion for summary judgment granted] | "KING OF BEERS" [beer] | "THE QUEEN OF BEERS" [beer] | | | No |
| 3-30 | EX | 75/301,355 | Instrumentation Metrics, Inc. | Quinn Hohein* Holtzman | 2(e)(1) | Refusal Reversed | | "INSTRUMENTATION METRICS" [optical processing unit comprising a spectrometer, guided light source and electromagnetic radiation detector; non-invasive blood analyte measurement devices and signal processing software for use therewith] | | Goodman | No |

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| 3-30 | OPP | 92,747 | Portable Floor Makers, Ltd. v. Florlok USA, Inc. | Simms Cissel Hairston* | ownership of the trademark | Opposition Sustained | "FLORLOK" [portable dance floors] | "FLORLOK" [portable dance floors composed primarily of non-metallic materials] | | | No |
| 3-30 | OPP | 109,904 | Absormex S.A. de C.V. v. Paper Source Co., Inc. | Cissel Hairston* Holtzman | 2(d) | Opposition Sustained | "WISE BUY!" (and design incorporating an owl) [bathroom tissue, napkins, and paper towels] | "WISE CHOICE" (and design incorporating an owl) [toiled tissue, facial tissue, paper towels, and paper napkins] | | | No |
| 3-30 | OPP | 104,507 | Alchem Capital Corp. v. Golf Duck Products Corp. | Cissel Hanak* Rogers | 2(d) | Opposition Sustained | "DUCK HEAD" <i>and</i> design incorporating a duck's head [<i>both marks for</i> coats and trousers, etc.]; "DUCK HEAD" (and design incorporating a duck's head) [pants and shirts, etc.] | "DUCK SOURCE" (and design) [sportswear, namely, jackets, pants, shirts, shorts, rain suits and hats] | | | No |
| 3-31 | CANC | 26,865 | The Procter & Gamble Co. v. The Good Earth Corp. | Quinn Hairston* Rogers | 2(e)(1); ownership of the mark as of the filing date of the application | Petition to Cancel Granted (on 2(e)(1) ground only) | | "AIR FRIES" [cooked potatoes for consumption on and off the premises] | | | No |
| 3-31 | EX | 75/381,307 | Aspen Analytics, Inc. | Cissel* Chapman Wendel | 2(e)(1) | Refusal Affirmed | | "VISUAL ORIGAMI" [prepackaged computer software and computer downloadable software for use in designing and creating origami objects and animations] | | Ferraiuolo | No |

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| 3-31 | EX | 74/282,055 | PNC Bank Corp. | Cissel (D) Hanak* Chapman | 2(d); 2(e)(1) | Refusal Reversed | | "BANKING STATION" [interactive multimedia banking services offered through PNC Bank Corp.'s kiosks and terminals linked exclusively to PNC Bank] | "ABN AMRO BANKSTATION" [electronic banking services] | Turner | No |

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